UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,188	03/06/2001	Richard Dale Harrah	10006647-1	3393

7590   09/07/2005

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EXAMINER
TRUONG, THANHNGA B

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/800,188	HARRAH ET AL.
	Examiner	Art Unit
	Thanhnga B. Truong	2135

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _7/18/2005 (RCE)_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _06 March 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   The Request for Continued Examination (RCE) file on 7/18/2005 has been entered. Claims 1-20 are pending. Claims 1-9, 13-20 are amended by applicant.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moss et al (US 5,485, 370), and further in view of Mallett (64564040) Service Control Manager.

      a.   _Referring to claim 1:_

            i.   Moss teaches:

                (1)   creating a tool a runnable tool, wherein the runnable tool encapsulates a tool and includes a tool definition and a list of target nodes on which the tool executes, wherein the tool definition specifies roles associated with the tool via an authorization model, and wherein a user assigned with one or more of the roles can run the tool on the target nodes; extracting from the tool definition the roles associated with the tool **[i.e., referring now to FIG. 14, a development computer 502 is shown with a target computer 504. Target computer 504 may be, for example, the home services delivery system described above. The development computer and the target computer have respective user terminals 506, 508. For purposes of this discussion, it is assumed that the target computer has runtime files on a storage medium 510. The user terminal 508 may access and interface with the runtime files via a runtime driver 512. An essential purpose of the development computer 502 is to facilitate the generation, debugging, and testing of applications programs for the target computer (column 26, lines 53-64). In addition, utilities 540 in the development computer 502 allow the programmer to**

more easily develop the applications program. For example, the reports utility 542 allows generation of reports relating to the applications program, such as basic printouts of source code or other relevant information (that is for "obtaining a list of target nodes and a tool definition; and the tool's roles") (column 27, lines 51-55)];

(2)   checking if any of the roles associated with the tool are enabled; checking if the user has authorization on the target nodes; and checking if the user is assigned with at least one of the enabled roles on all of the target nodes, wherein the user is authorized to run a requested tool if the user is assigned with one or more of the enable roles associated with the requested tool on all of the target nodes [i.e., system administration utilities 546 in utilities 540 are provided. These administration utilities include adding and deleting authorized users and controlling access to the development computer through use of passwords (column 27, lines 61-65)].

ii.   Although Moss does not explicitly disclose information with a list of target nodes, tool definition, etc., Moss does implicitly mention:

(1)   The network host is capable of deleting either serial number from lists of validated serial numbers, so as to prevent users who become unauthorized (e.g. by failure to keep accounts current, etc.) from using the system (column 9, lines 49-53). Furthermore, referring to Figure 14, utilities 540 in the development computer 502 allow the programmer to more easily develop the applications program. For example, the reports utility 542 allows generation of reports relating to the applications program, such as basic printouts of source code or other relevant information, wherein the list of nodes or sytems' ID or any relevant information about the systems/nodes can be retrieved/reported (column 27, lines 51-55).

iii.   In addition, Mallett teaches:

(1)   In SCM, a role is set of tools for which you can grant a person execution access against a set of hosts. What is nice about this tool is that you can define the roles by assigning tools to them, make select persons members of any

"role," and authorize a person to perform a role against a host, or group of hosts **(Mallett's first paragraph of Text section).**

   iv. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

   (1) clearly mention the information related to the computer nodes for conducting communications between a home computer system and a generally conventional computer network in an extremely simple manner, such that no knowledge of computer operations is necessary for the user of a home computer system to obtain information or perform financial and other transactions through the computer network **(column 1, lines 42-50 of Moss).**

   v. The ordinary skilled person would have been motivated to:

   (1) clearly mention the information related to the computer nodes by providing user-friendly systems and methods for communicating with a plurality of informational and financial and other service computer systems through a microcomputer-based terminal, such as "home" terminal, so that a typical consumer having little expertise in computer operations can easily use the facilities of the service computer systems **(column 3, lines 59-65 of Moss).**

   b. _Referring to claims 2-8, 13-20:_

   i. These claims have limitations that is similar to those of claim 1, thus they are rejected with the same rationale applied against claim 1 above.

   c. _Referring to claim 9:_

   i. Moss teaches:

   (1) target nodes that are managed servers; tools that specify commands or options on the target nodes, each tool including a tool definition, wherein the tool definition specifies roles associated with a tool via an authorization model; roles associated with a tool, wherein a user assigned with one or more of the roles can run the tool on the target nodes; and a security manager that checks whether any of the roles associated with the tool is enabled, and whether the user is assigned with one of the enabled roles on all of the target nodes, wherein the user is authorized to run a requested tool if the user is assigned with one or more of the enable roles

associated with the requested tool on all of the target nodes **[i.e., in the arrangement of Figure 15, it is possible for a team of programmers working at various work stations or even a PC, to contribute their effort to the development of a single applications program, or to a corresponding number of different applications programs, using the tools illustrated in detail in Figure 14 (column 29, lines 14-19)]**.

　　　　　ii.　　　Although Moss does not explicitly disclose information with a list of target nodes, tool definition, etc., Moss does implicitly mention:

　　　　　　　　　(1)　　　The network host is capable of deleting either serial number from lists of validated serial numbers, so as to prevent users who become unauthorized (e.g. by failure to keep accounts current, etc.) from using the system **(column 9, lines 49-53)**. Furthermore, referring to Figure 14, utilities 540 in the development computer 502 allow the programmer to more easily develop the applications program. For example, the reports utility 542 allows generation of reports relating to the applications program, such as basic printouts of source code or other relevant information, wherein the list of nodes or sytems' ID or any relevant information about the systems/nodes can be retrieved/reported **(column 27, lines 51-55)**.

　　　　　iii.　　　In addition, Mallett teaches:

　　　　　　　　　(1)　　　In SCM, a role is set of tools for which you can grant a person execution access against a set of hosts. What is nice about this tool is that you can define the roles by assigning tools to them, make select persons members of any "role," and authorize a person to perform a role against a host, or group of hosts **(Mallett's first paragraph of Text section)**.

　　　　　iv.　　　It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

　　　　　　　　　(1)　　　clearly mention the information related to the computer nodes for conducting communications between a home computer system and a generally conventional computer network in an extremely simple manner, such that no knowledge of computer operations is necessary for the user of a home computer

system to obtain information or perform financial and other transactions through the computer network **(column 1, lines 42-50 of Moss).**

      v.   The ordinary skilled person would have been motivated to:

      (1)   clearly mention the information related to the computer nodes by providing user-friendly systems and methods for communicating with a plurality of informational and financial and other service computer systems through a microcomputer-based terminal, such as "home" terminal, so that a typical consumer having little expertise in computer operations can easily use the facilities of the service computer systems **(column 3, lines 59-65 of Moss).**

      d.   *Referring to claims 10-12:*

      i.   These claims have limitations that is similar to those of claims 1 and 9, thus they are rejected with the same rationale applied against claims 1 and 9 above.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

TBT

September 2, 2005